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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,788	10/23/2003	Trevor Arthurs	2504-011-DIV	7174

22208 7590 12/14/2005

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EXAMINER

AHMAD, NASSER

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,788

Applicant(s)

ARTHURS ET AL.

Examiner

Nasser Ahmad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/8/04, 1/9/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4, as stated, is a duplicate of claim 3.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,9, 11, 13-14 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jordan (5763069).

Jordan relates to a fabric container with reduced energy of electrostatic charges comprising a woven static dissipating fabric configured to form a flexible fabric container (col. 1, lines 15-18 and col. 15, lines 16-20). The fabric comprises fabric of woven non-conductive tapes, to which a plurality of electrically conductive tapes are woven into at a spacing of about 2-40 cm (col. 15, lines 30- 31). The conductive tapes or yarns have linear densities of about 700 to 2500 deniers (col. 15, lines 31-32). The fabric has 10-25 ends per inch in the warp direction with 1000 to 2200 denier and 10-20 ends per inch in

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the weft direction with 1200 to 2300 denier (col. 15, lines 21-28). The conductive fiber comprise polypropylene homopolymer non-conductive fibers having conductive constituents (such as carbon black) on the outside (col. 15, lines 37-44). The presence of the conductive outer surface is taken to be a longitudinal strip as it extends along the length of the tapes or yarns. However, Jordan fails to teach that the spacing is 3-100 mm. It would have been obvious to one having ordinary skill in the art to modify Jordan's teaching of providing 2-40 cm spacing to form 3-100 mm spacing, based on optimization through routine experimentation, because the closer spacing would permit optimum antistatic dissipating characteristics to the fabric container.

The fibers of polypropylene homopolymers can include a minor amount of upto about 30 mole% of another polyolefin such as low density polyethylene (col. 7, lines 11-25) and can have melt flow index of about 1.5 g/10min (col. 7, lines 39-40). The tape widths are 0.1-8 mm.

5. Claims 2-5, 7-8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jordan in view of Mohammed (5747134).

Jordan, as discussed above, fails to teach that the polypropylene tapes includes ultra violet inhibitors. Mohammed discloses that polypropylene fibers containing ultra violet absorbers or inhibitors as additives to enhance the fiber properties (col. 5, lines 1-5). Therefore, it would have been obvious to one having ordinary skill in the art to utilize Mohammed's teaching of providing ultra violet absorbers or inhibitors in the polypropylene fiber s wit the motivation to enhance its properties such as inhibition against degradation when exposed to ultra violet.

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The amount of UV-inhibitor being 1.5 wt% would have been obvious to one having ordinary skill in the art, based on optimization through routine experimentation, to provide for optimum UV protection without diminishing the properties of the fibers forming the fabric.

6. Claims 6, 10 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jordan in view of Mohammed and Ebadat (6112772).

Jordan and Mohammed, as discussed above, fails to teach that the fabric further comprises a polymeric coating. Ebadat relates to a flexible container woven fabric (41) of polypropylene fibers and having a further coating of a polymeric material (42, 43) to provide for prevention of leakage. Therefore, it would have been obvious to one having ordinary skill in the art to utilize Ebadat's teaching or using polymeric coating on the fabric in the invention of Jordan with the motivation to provide for prevention of leakage through the interstices of the fiber weave.

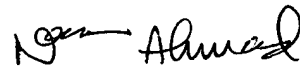
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Nasser Ahmad
Primary Examiner
Art Unit 1772
12/12/05

N. Ahmad.
December 12, 2005.